



Burt County Board Minutes



OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
July 31, 2015
TEKAMAH NE 68061

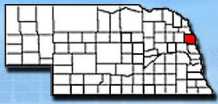
The Burt County Board of Supervisors met in regular session on Friday, July 31, 2015 in the Boardroom of the Burt County Courthouse in Tekamah, Nebraska, pursuant to adjournment of their last meeting. Notice of the meeting was given in advance thereof by Publication in the Plaindealer, upon a 1st floor bulletin board within the courthouse and on the County's Website. A copy of the proof of publication is on file in the office of the County Clerk. The following members were present: Cliff Morrow, David Schold, Greg Brummond, Matt Connealy, Perry Rogers, Ted Connealy and Gerald Newill.

The meeting opened at 9:00 A.M. upon motion by Rogers, seconded by Newill, with roll call vote as follows: Ayes – Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy and Newill. Nays-none. Chairman Morrow informed the public that the Nebraska Open Meeting Act was posted on the wall.

Upon motion by M.Connealy, seconded by T.Connealy, the agenda was approved, with roll call vote as follows: Ayes –Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy and Newill. Nays-none.

The following claims for July in the amount of \$593,321.03 including \$112,056.47 for payroll, were read, audited, warrant drawn and checks generated on the respective funds on motion by Rogers, seconded by M.Connealy, with roll call vote as follows: Ayes – Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy and Newill. Nays – none. \$100,000.00 of this total reflects a transfer from the General Fund to the Road Fund.

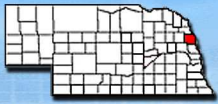
AFLAC	INSURANCE	820.23
AMERITAS INVESTMENT CORP	PRINCIPAL/INTEREST	38,315.00
ANDERSON HARDWARE	SUPPLIES	85.73
ANDY'S QUICK SHOP	FUEL	250.07
APPLIED CONNECTIVE TECH	SERVICE	3,535.00
AS CENTRAL SERVICES	AS/400 COSTS	221.60
AS CENTRAL SERVICES, OCIO	TELETYPE	350.00
AT&T	PHONE	53.09
BILL J PICKELL	REPAIRS	110.45
BLACK HILLS ENERGY	UTILITIES	118.31
BLUE CROSS & BLUE SHIELD	INSURANCE	60,400.30
BLUFF GRAVEL CO	GRAVEL/BORROW	23,560.02
BOMGAARS SUPPLY	SUPPLIES	1,058.79
BOYDSTON LAW OFFICE	ATTY FEES	3,978.75
BRANIFF SERVICE	FUEL	1,382.95
BRENNEIS INSURANCE AGENCY INC	INSURANCE	15,065.00
BURT COUNTY CLERK	POSTAGE	12.99



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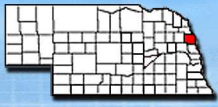
BURT COUNTY COURT	NON WAIVE FEES	243.00
BURT COUNTY DISTRICT COURT CLERK	NON WAIVE FEES	206.00
BURT COUNTY PUBLIC POWER DIST	RADIO TOWER	81.67
BURT COUNTY SHERIFF	SERVICE	123.10
BURT COUNTY TREASURER	FUND TRANSFER	100,019.60
BURT COUNTY TREASURER-TAXES	TAXES	190.55
CENTRAL UNITED LIFE INS CO	INSURANCE	10.25
CENTRAL VALLEY AG	FUEL	359.61
CENTURYLINK	402-D55-0002	737.79
CITY CLERK	WATER BILL	43.05
CITY OF LYONS	UTILITIES	97.34
CITY OF TEKAMAH	UTILITIES	128.50
CLIFFORD L MORROW	MILEAGE	62.10
CNA AUTO SERVICES	REPAIRS	12.18
COMPLETE SECURITY & INVESTIGATIONS	PERSONAL SRV	75.00
CREDIT MANAGEMENT SERVICES	GARNISHMENT	763.71
CRESTON FERTILIZER MCL FARMS INC	MILESTONE	280.91
CUBBY'S	FUEL	601.60
DAVID SCHOLD	MILEAGE	186.30
DEARBORN NATIONAL LIFE INS	LIFE INSURANCE	31.46
DECATUR EXPRESS	FUEL	1,627.28
DODGE COUNTY CLERK	PROBATION	2,643.83
DODGE COUNTY SHERIFF	PERSONAL SRV	6.00
DOUGLAS COUNTY TREASURER	AUTOPSY	250.00
DREW LAW FIRM	ATTY FEES	2,297.00
EMANUEL PRINTING INC	LAW SUPPLIES	238.70
ENGELHARDT COMMUNICATIONS	RADIO REPAIR	64.00
ERNIE GLUP PIPE SALES	CULVERTS	3,656.00
FARMERS PRIDE	FUEL	3,040.16
FILTER CARE OF NEBRASKA, INC.	MAINTENANCE	63.75
FIRST CONCORD BENEFITS GROUP LLC	INSURANCE	490.00
FIRST NAT'L BANK-NORTHEAST-EFPTS	FEDERAL TAXES	37,961.87
FRANCES FRENCH	PRIOR SERVICE	11.00
FRED FRANKLIN	SURVEY EQUIP	794.98
FREMONT SANITATION	GARBAGE	121.31
GATZMEYER'S WELDING & REPAIR	PARTS/LABOR	94.50
GERALD E NEWILL	MILEAGE/KEARNEY MTG	446.20
GREGORY J BRUMMOND	MILEAGE	149.50
HUNTEL COMMUNICATIONS	REPAIRS	192.50
ILA DAVIS	PRIOR SERVICE	18.00
IOWA OFFICE SUPPLY	LEASES/COPIES	381.91
IRS	EXCISE TAX	96.00
JAMES L DEVENING	TRASH REMOVAL	235.00
JAN RASMUSSEN	MILEAGE	103.50
JAY W JOHNSON	MILEAGE	316.83



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JIM HANSEN	PARTS/LABOR	624.26
JOHN WILSON	MEALS/FUEL/ETC	148.43
JOHNSON & MOCK	ATTY FEES	360.00
JONI L. RENSHAW	SUPPLIES/MILES	191.12
K B'S MINI MART	FUEL	870.37
K-C PARTS & REPAIR	BLDG REPAIRS	165.95
KATHLEEN A LAUGHLIN	GARNISHMENT	325.00
KIRBY L BOWLAND	PARTS	38.40
KUENY & BEGLEY	ATTY FEES	1,642.50
LORENSEN LUMBER & GRAIN	CONCRETE	423.00
LYDICK CUSTOM LAWN CARE	REPAIRS/LABOR	384.50
MADISON COUNTY SHERIFF	SERVICE	1,868.50
MAINELLI, WAGNER & ASSOCIATES INC	ENGINEERING	3,895.00
MARTIN MARIETTA	GRAVEL/BORROW	11,872.88
MARY LOFTIS	MEAL/MILE/ETC	361.66
MASSMUTUAL	INSURANCE	200.00
MATTHEW CONNEALY	MILEAGE/KEARNEY MTG	376.11
MEL'S SMALL ENGINE	SUPPLIES	10.00
MEMORIAL COMMUNITY HOSPITAL	TESTING	54.80
MID-AMERICAN BENEFITS INC	INSURANCE	5,360.00
MIDWEST SERVICE & SALES	CULVERTS/SIGN	7,672.50
MIDWEST SERVICE CO	FUEL	11,306.63
MILLS LAW OFFICE	ATTY FEES	787.50
MIPS INC	SERVICES	3,097.81
MOBILE BINDERS	SUPPLIES/PAPER	197.47
NATIONWIDE RETIREMENT SOLUTIONS	RETIREMENT	1,475.00
NE HEALTH & HUMAN SERVICES SYSTEM	MONTHLY BILL	216.00
NE NEBR AREA AGENCY ON AGING	2015 FUNDS	4,519.00
NEBR CHILD SUPPORT PAYMENT CTR	CHILD SUPPORT	1,224.17
NEBRASKA CRIME COMMISSION	SUPPLIES	24.00
NEBRASKA PUBLIC POWER DISTRICT	ELECTRICITY	1,282.32
NICHOLAS E. WURTH LAW OFFICE	ATTY FEES	2,055.00
NMC	PARTS/LABOR	3,358.26
NORTHEAST NEBR TELEPHONE CO	PHONE	229.62
O'KEEFE ELEVATOR CO INC	ELEVATOR	258.18
OAKLAND INDEPENDENT	PUBLISHING	314.50
OFFICE SYSTEMS COMPANY	CONTRACT	395.52
OFFICE WAREHOUSE	SUPPLIES	270.73
PENDER MEDICAL CLINIC	MEDICAL	131.00
PENNY A. WARREN	MILEAGE	57.50
PERRY ROGERS	MILEAGE	23.00
PEST-TROL	PEST CONTROL	38.00
PHYSICIANS LABORATORY PC	AUTOPSY	1,380.00
PITNEY BOWES	POSTAGE	859.47
PLAINDEALER PUBLISHING CO	PUBLISHING	980.06



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QUALITY PRINTING & OFFICE SUPP	SUPPLIES	1,395.17
REGION IV INC	1ST QTR FEE	3,305.50
REGION 5/6 EMERGENCY MANAGEMENT	FY2016 FEE	13,904.60
RETIREMENT PLANS DIV. OF AMERITAS	RETIREMENT	18,246.88
RITTERBUSH & PIOTROWSKI, LLP	6-30-14 AUDIT	11,300.00
ROBERTS LAW OFFICE LLC	ATTY FEES	3,345.00
RR DONNELLEY	LAW SUPPLIES	103.93
SAVE MORE MARKET	SUPPLIES	197.50
SCHENKELBERG IMPLEMENT CO	PARTS	126.66
SEALS & SERVICE INC	PARTS/LABOR	564.50
SHAMBURG AUTO SUPPLY	PARTS/TOOLS	369.07
SIDNER,SVOBODA,SCHILKE,THOMSEN	ATTY FEES	4,983.75
STALP GRAVEL CO	GRAVEL/BORROW	1,080.36
STATE TAX COMMISSIONER	STATE TAXES	4,856.90
STATE TREASURY MANAGEMENT DIV	TAXES/REFUND	1,959.71
STEVE CASS	PARTS	337.35
STEVEN L DEVENING	GRAVEL/BORROW	28,607.77
THE APOTHECARY SHOP	MEDICAL	128.31
THE SIGN DEPOT	SP CLOTHING	134.52
THEODORE CONNEALY	MILEAGE	52.90
THURSTON COUNTY SHERIFF	BD PRISONERS	2,200.00
TRI-STATE COMMUNICATIONS	RADIO REPAIR	86.00
VERIZON WIRELESS	CELL PHONE	197.89
VETTER EQUIPMENT	PARTS	1,238.42
VILLAGE OF DECATUR	UTILITIES	76.70
WASHINGTON COUNTY CLERK	4TH QTR PYMT	1,773.16
WASHINGTON NATIONAL INS CO	INSURANCE	16.15
WOODHOUSE FORD CHRYSLER INC	PARTS/LABOR	427.32
WPCI	TESTING	51.00

The minutes of the last meeting were approved upon motion by M.Connealy, seconded by Schold, with roll call vote as follows: Ayes – Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy and Newill. Nays – none.

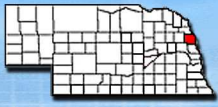
Chairman Morrow signed the following **lot split applications**:

Paul Chamberlain: 3.381 acres in the SW $\frac{1}{4}$ of Section 13, Township 20 North, Range 10 East of the 6th P.M., Burt County, Nebraska.

Kent A. Jordan & Greg A. Jordan: 4.57 acres in part of the SW $\frac{1}{4}$ of Section 20, Township 20 North, Range 10 East of the 6th P.M., Burt County, Nebraska.

Jordan Farms, Inc.: 4.57 acres in part of the SE $\frac{1}{4}$ of Section 19, Township 20 North, Range 10 East of the 6th P.M., Burt County, Nebraska.

Highway Superintendent Peggy Smith presented a **bid from Thrasher Inc. to repair approaches on 2 bridges on County Road 118**. The recommended repairs will fix the



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settlement on both approaches. Motion was made by Brummond, seconded by M.Connealy to approve the bid for the amount of \$35,935.00, with roll call vote as follows: Ayes – Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy and Newill. Nays – none.

Board member Schold moved to adopt the following resolution as part of Burt County Fiscal Year End Business:

RESOLUTION #2015-14

WHEREAS, Burt County needs to close a fund already in the Treasurer's and County Clerk's records as well as in the County budget document.

WHEREAS Burt County no longer has a need to have a separate account for the CRIME GRANT FUND (2516) because all of the funds for this project have been spent and the fund now has a zero balance, and there is no expectation of any further revenue coming into it.

NOW BE IT FURTHER RESOLVED by the Burt County Board of Supervisors that the Treasurer close the CRIME GRANT (2516) Fund, and said fund will be removed from the budget process.

DATED this 31st day of July, 2015, at Tekamah, Nebraska.

ATTEST: SARAH J FREIDEL
BURT COUNTY CLERK

CLIFFORD MORROW, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

Board Member M.Connealy seconded the motion, and the Chairman declared it adopted, with roll call vote as follows: Ayes – Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy and Newill. Nays – none.

Board member Rogers moved to adopt the following resolution as part of Burt County Fiscal Year End Business:

RESOLUTION #2015-15

WHEREAS, Burt County needs to close a fund already in the Treasurer's and County Clerk's records as well as in the County budget document.

WHEREAS Burt County no longer has a need to have a separate account for the OAKLAND MERCY HOSPITAL FUND (5001) because all of the funds for this project have been spent and the fund now has a zero balance, and there is no expectation of any further revenue coming into it.

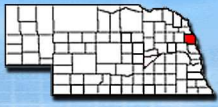
NOW BE IT FURTHER RESOLVED by the Burt County Board of Supervisors that the Treasurer close the OAKLAND MERCY HOSPITAL (5001) Fund, and said fund will be removed from the budget process.

DATED this 31st day of July, 2015, at Tekamah, Nebraska.

ATTEST: SARAH J FREIDEL
BURT COUNTY CLERK

CLIFFORD MORROW, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

Board Member Newill seconded the motion, and the Chairman declared it adopted, with roll call vote as follows: Ayes – Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy



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and Newill. Nays – none.

Board member Schold moved to adopt the following resolution in order to move forward with the Livestock Friendly County Designation:

**Resolution # 2015-17
Livestock Friendly County Program
State of Nebraska**

WHEREAS, the Burt County Board of Supervisors conducted a public hearing on July 13, 2015 after due publication and notice, and received comments from the public concerning designation as a Livestock Friendly County; and

WHEREAS, the Board of Supervisors of Burt County desires to develop the livestock production sector of Burt County's economy; and

WHEREAS the Board of Supervisors of Burt County acknowledges that livestock is important to the economic well-being of Burt County; and

WHEREAS the Board of Supervisors of Burt County intends to work with all other governmental jurisdictions within its boundaries in implementing livestock development within the county; and

WHEREAS, the Board of Supervisors of Burt County is committed to compliance with the Livestock Waste Management Act; and

WHEREAS, the Board of Supervisors of Burt County hereby commits to enter into a letter of understanding with the Nebraska Department of Agriculture agreeing to develop a plan to support the livestock industry in Burt County and to submit reports as directed by the Department.

NOW, THEREFORE, be it resolved and hereby declared that Burt County fully supports the Livestock Friendly County program in Nebraska and respectfully requests that its application for designation as a Livestock Friendly County be reviewed and approved by the Director of the Department of Agriculture.

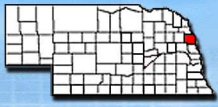
PASSED AND APPROVED this 31st day of July, 2015.

ATTEST: SARAH J FREIDEL
BURT COUNTY CLERK

CLIFFORD MORROW, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

Chairman Morrow asked for public input: Stewart Hartwell spoke in support; John Wilson reported neutral to positive feedback from some of his counterparts and no zoning problems have been an issue; Mark Blackford offered the help of the Burt County Cattlemen through the application process; Board member M.Connealy stated that he is not against the livestock in Burt County, he is concerned with what the Legislation can do and he urged all to be watching the Legislation for possible effects to local zoning when a County is attached to this Program. After the conversations, Board Member Newill seconded the motion and the Chairman declared it adopted, with roll call vote as follows: Ayes – Morrow, Schold, Brummond, T.Connealy and Newill. Nays – M.Connealy and Rogers.

At 10:04 A.M. Chairman Morrow opened the public hearing regarding Weston Repair Business. Weston & Hannah Frederick explained their plans to run a repair shop and Vermeer hay equipment sales at their Lyons property. After discussion, the Chairman declared the public hearing closed at 10:07 A.M., and the Board went back into regular session.



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Motion was made by Brummond to approve a **Conditional Use Permit for Weston's Farm Repair, LLC** at 2030 County Road 23, Lyons, NE lying in 13-23-9, Newill seconded the motion, with roll call vote as follows: Ayes – Morrow, Schold, Brummond, M.Connealy, Rogers T.Connealy and Newill. Nays – none.

Chairman Morrow moved the Board recess at 10:09 AM for *Board of Equalization* upon motion by Brummond, seconded by Newill, with roll call vote as follows: Ayes – Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy and Newill. Nays – none.

The Burt County Board of Supervisors reconvened at 10:18 AM upon motion by M.Connealy, seconded by Rogers, with roll call vote as follows: Ayes –Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy and Newill. Nays – none. The Board asked County Attorney Frank Barron to look into the possibility of Burt County being able to tax the 5 inactive Townships through the use of LB65. Resolution 2015-16 (Township Audit Waivers) was put on hold until the attorney can check into this possibility.

Road Superintendent Peggy Smith reported that Salem Church wanted to start paving some areas for their lane/parking use, however these areas lay on the County's right of way. County Attorney Frank Barron insisted upon an indemnification clause and insisted that the Church carry extra liability Insurance upon that portion of the property. Smith will be in touch with the Church's representatives.

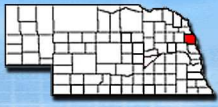
There was a motion by Rogers to go into *Executive Session for the protection of the public interest to discuss litigations* with Burt County Attorney Frank Barron, motion was seconded by M.Connealy, with roll call vote as follows: Ayes – Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy and Newill. Nays – none. Chairman Morrow declared the meeting entered into Executive Session at 10:20 A.M. for the protection of the public interest to discuss pending litigations.

M.Connealy motioned to come out of executive session, Brummond seconded, with roll call vote as follows: Ayes – Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy and Newill. Nays – none. Chairman Morrow declared the meeting was back into Regular Session at 10:32 A.M. No action was taken during executive session.

Board Member Brummond presented an offer from Tory Penny to **purchase Burt County Property**: S 80' Lot 1 & S 80' of E 12' Lot 2, Block 11, City of Lyons, Burt County, NE. Motion was made by Brummond, seconded by M.Connealy to approve the sale in the amount of \$20.00, with roll call vote as follows: Ayes – Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy and Newill. Nays – none.

Chairman Morrow signed the contract, approved at the July 14, 2015 Board Meeting, with Lindy Glass for the North and South Courthouse Building windows. Pete Ueding, Courthouse Building and Maintenance, suggested the Board start thinking about replacing all 3 Main entry doors of the Courthouse; they are approximately 100 years old and need replaced due to functionality. He asked to take into consideration a door that will work not only long term functionally, but will also meet the Historical standards and the ADA Americans with Disabilities Act standards.

Motion was made by M.Connealy, seconded by Brummond, to accept the **2015**



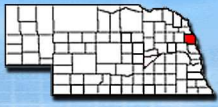
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inventories, with roll call vote as follows: Ayes – Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy and Newill. Nays – none.

Upon motion by Schold, seconded by T.Connealy, the Board approved a **Special Designated Liquor License** for JT's Bar & Grill to have a beer garden at the Hoot Gibson Rodeo Arena, 3499 Hwy 32, Tekamah, Nebraska, from August 29, 2015 at 5:00 p.m. until August 30, 2015 at 1:00 a.m., for a Demolition Derby Event, with roll call vote as follows: Ayes – M.Connealy, Schold, Brummond, Rogers and T.Connealy. Nays – none. Absent – Morrow and Newill.

Fred Mytty met with the Board to **discuss the 2015-2016 budget**. The Board wants to look at doing a transfer from the Inheritance Fund in an effort to keep taxes at the same level and avoid any increases. Mytty will work up figures reflecting these changes and discuss with the Board at their August 28th meeting. The date for the final hearing of the budget was set for September 8, 2015, during the regular board meeting.



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Burt County NOTICE pursuant to Section 13-122:

CLERK, TREASURER, ASSESSOR, CLERK DISTRICT COURT: \$3,853.65/month
DEPUTY in CLERK, TREASURER, ASSESSOR, CLERK DISTRICT COURT: \$17.16/hour
OFFICE CLERKS in CLERK, TREASURER, ASSESSOR: \$15.19/hour
REAPPRAISAL LICENSED APPRAISER: \$52.59/hour
REAPPRAISAL REVIEWER: \$17.16 - \$14.40/hour
REAPPRAISAL CLERK part time: \$15.78 - \$9.81/hour
ATTORNEY: \$3,853.65/month
DEPUTY ATTORNEY: \$2,447.59/month
ATTORNEY SECRETARIAL: \$17.16 – \$14.42/hour
SURVEYOR: \$1,215.55/month
COUNTY BOARD: \$1,091.04/month
SHERIFF: \$4,434.72/month
SHERIFF DEPUTIES: \$3,481.81 - \$2,882.05/month
SHERIFF SECRETARY/911 DISPATCHERS: \$17.16 - \$11.13/hour
HIGHWAY SUPT/ZONING ADMIN: \$3,853.65/month
ROAD DEPT: \$22.21 - \$17.17/hour
MAINTENANCE & BUILDING: \$17.16/hour
MAINTENANCE part time: \$11.14 - \$12.00/hour
WEED AUTHORITY: \$17.17/hour
VETERANS SERVICE OFFICER part time: \$22.23/hour
CIVIL DEFENSE/EMERGENCY MANAGEMENT: \$709.92/month
EXTENSION CLERICAL: \$17.16/hour
EXTENSION ASSISTANT part time: \$8.00 - \$10.00/hour

There being no further business to come before the Board at this time, the meeting adjourned at 11:33 A.M. until 9:00 A.M., August 11, 2015.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

CLIFFORD L. MORROW, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISOR

These minutes are not the official record and may be corrected. A copy of the approved official minutes is available to the public at the Clerk's Office.